

Will the broadcast flag interfere with consumers ability to make copies of DTV content for their personal use, either on personal video recorders or removable media?

Yes. I use the Linux operating system on my computer, which is the open-source software that the Tivo uses. The "tamper-resistant" requirement on DTV equipment would make open-source programs that work with Linux illegal for use with DTV. It would greatly restrict the use of programs on my computer which operate in a similar matter to the Tivo.

Would the digital flag interfere with consumers ability to send DTV content across networks, such as home digital networks connecting digital set top boxes, digital recorders, digital servers and digital display devices?

Yes. For example, if a family member appeared on a 'reality' game show, I wouldn't be able to record that show and send it to other family members, especially if the recording device (a computer with a CD-burner, for example) was networked to a broadcast-flag compliant digital TV.

Would the broadcast flag requirement limit consumers ability to use their existing electronic equipment (equipment not built to look for the flag) or make it difficult to use older components with new equipment that is compliant with the broadcast flag standard?

I doubt it would affect existing equipment much, but it would certainly make new equipment less useful and less functional than non-compliant equipment.

Would a broadcast flag requirement limit the development of future equipment providing consumers with new options?

Many technological innovations such as Tivo begin with hobbyists or very small research and development groups tinkering with available tools, especially free tools like Linux, GNU Radio, and such. The proposed action would change that label to "tampering", and limit hobbyist activity. The proponents of the broadcast flag can't possibly foresee all the new ways that the industry might grow in the future. Imagine what the world would be like today if they had been successful in prohibiting VCRs.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?

It certainly couldn't make the products any LESS expensive, and much of the expense would become the consumer's burden, of course. I foresee hidden expenses in the fact that every manufacturer would probably have to come up with their own implementation of enforcement for the proposed standard, and some would work better than others. Verifying a flag is a function of computer software. There would have to be a little computer in every device that uses a software program to verify the flag. The software program probably could never be updated without replacing the device. If bugs are found in the software, that could get very, very expensive.

Other Comments:

I don't believe they will be able to prevent dedicated criminals from downloading content to a computer, removing the "flag" and copying the content anyway. All this proposal will accomplish is to make devices more expensive, less reliable, limit the fair-use rights of consumers, and restrict innovation.